to control "both front and rear wheels to rotate at the same speed." Col. 1, lines 32-43. To implement the invention of Lin, "[a] comparison is made between the front wheels and the rear wheel speeds to determine the difference in speed, if any." Col. 2, lines 58-60. By measuring and comparing the wheel speeds, whether a wheel is spinning relative to another wheel can be determined, and the torque to the spinning wheel can be correspondingly decreased, to eliminate wheel spin. See Col. 2, line 58 through Col. 3, line 26. The inputs to this control method are wheel speed sensors 18, 36, or alternately wheel speed sensors 50, 60, 70, and 76, depending on whether the vehicle has independent drive trains for the wheels. "*In response to the front and rear wheel speeds and accelerations*, the microcomputer 108 determines the desired torque output for the front and rear wheels..." Col. 4, lines 7-10 (emphasis added). As a result, "each wheel provides a drive torque and tractive force for the vehicle *proportional to* both the vehicle loading *on the wheel* and the friction coefficient between the wheel and the road surface." Col. 3, lines 22-26 (emphasis added).

Claim 1 discloses "a torque limit determining device operable to receive a weight signal indicative of an approximate weight of the vehicle, the torque limit determining device operable to transmit a torque signal indicative of a torque limit for the motor as a function of the weight signal." Lin fails to disclose receiving a weight signal indicative of an approximate weight of the vehicle. As noted above, Lin uses the relative wheel speeds as transmitted from individual drive shaft or wheel speed sensors to determine a desired torque output for the front and rear wheels. While Lin discloses that the resulting wheel torques may be "proportional to...the vehicle loading on the wheel" this is not the same as disclosing a torque signal that results *from* a vehicle loading signal. The sensors disclosed in Lin are incapable of determining a weight signal indicative of a weight of the vehicle.

Further, disclosing that the resulting wheel torques may be "proportional to...the vehicle loading *on the wheel*" is not the same as being proportional to the overall weight of the vehicle. If a heavy load were unevenly distributed, such as being entirely in the rear driver side corner of the vehicle, then vehicle loading on a particular wheel may not be indicative of the overall weight of the vehicle. The separate wheel loadings could conceivably be used to determine a characteristic indicative of the weight of the vehicle, such as by averaging the wheel loading numbers, but this is not disclosed in Lin. This concept

would also run counter to the spirit of Lin, which is to only compare the relative wheel speeds to determined desired wheel torque.

In addition, Lin is limited to 4 wheel drive applications" "This invention relates to traction control for a class of four wheel drive vehicles..." Col. 1, lines 6-7. No such limitation is present in claim 1. Claim 1 could be equally applied to 2 wheel or any other number of wheel drive vehicles, e.g., one wheel drive of a motorcycle.

Claims 2-5 are dependent claims depending from claim 1. Thus, because claim 1 is allowable, so too are claims 2-5.

Claim 6 is an independent claim containing language similar to that of claim 1. Thus, claim 6 is allowable for similar reasons.
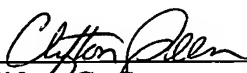
Claim 7 is a dependent claim depending from claim 6. Thus, because claim 6 is allowable, so too is claim 7.

Claim 8 is an independent claim containing language similar to that of claim 1. Thus, claim 8 is allowable for similar reasons.

Claims 9-11 are dependent claims depending from claim 8. Thus, because claim 8 is allowable, so too are claims 9-11.

It is respectfully urged that the subject application is in condition for allowance and allowance of the application at issue is respectfully requested.

Respectfully submitted,

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